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05 UNITED STATES DISTRICT COURT  
06 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

07 UNITED STATES OF AMERICA, )  
08 )  
09 Plaintiff, ) Case No. 07-MJ-306  
10 v. )  
11 ) DETENTION ORDER  
12 TINA HOWE, )  
Defendant. )  
\_\_\_\_\_ )

13 Offense charged:

14 Possession of MDMA With Intent to Distribute in violation of 21 U.S.C. §§ 841(a)(1)  
15 and 841(b)(1)(C).

16 Date of Detention Hearing: June 28, 2007.

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18 based upon the factual findings and statement of reasons for detention hereafter set forth,  
19 finds the following:

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

21 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
22 defendant is a flight risk and a danger to the community based on the nature of the pending  
23 charges. This places a limited burden of production on the defendant. Application of the  
24 presumption in favor of detention is appropriate in this case.

25 (2) Defendant is a citizen and resident of Canada.

26 (3) Defendant has no ties to the Western District of Washington.

01 (4) Although weight of the evidence is the least important of the four factors set  
02 forth in 18 U.S.C. §3142(g), when defendant was arrested, she was the passenger that was  
03 used to transport MDMA, commonly known as ecstasy. A total of about 195,000 ecstasy  
04 pills were recovered from bags that fell out of the truck she was riding in or were  
05 subsequently recovered from her trip from Canada into the United States.

06 (5) After the bags containing the MDMA and the roof of the van fell off the  
07 vehicle, the defendant attempted to persuade her co-defendant to “dump the van” and to call  
08 a taxi to try to escape from the area. She also arranged for someone to pick them up in  
09 Bellingham.

10 (6) Defendant has no incentive to return to the United States to face charges, if  
11 released.

12 (7) There are no conditions or combination of conditions other than detention that  
13 will reasonably assure the appearance of defendant as required.

14 IT IS THEREFORE ORDERED:

15 (1) Defendant shall be detained pending trial and committed to the custody of the  
16 Attorney General for confinement in a correction facility separate, to the  
17 extent practicable, from persons awaiting or serving sentences or being held in  
18 custody pending appeal;

19 (2) Defendant shall be afforded reasonable opportunity for private consultation  
20 with counsel;

21 (3) On order of a court of the United States or on request of an attorney for the  
22 government, the person in charge of the corrections facility in which  
23 defendant is confined shall deliver the defendant to a United States Marshal  
24 for the purpose of an appearance in connection with a court proceeding; and  
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(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 28th day of June, 2007.



JAMES P. DONOHUE  
United States Magistrate Judge